

2007 BILL

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1 AN ACT *to repeal* 66.0435 (1) (a), 66.0435 (1) (f), 66.0435 (3) (c) 7., 66.0435 (5) and
2 341.05 (26) (b); *to renumber* 341.05 (26) (a); *to renumber and amend*
3 66.0435 (1) (e), 66.0435 (1) (g), 138.056 (1) (c), 710.15 (1) (a) and 710.15 (1) (e);
4 *to amend* 30.40 (6), 45.31 (12), 49.47 (4) (b) 1., 59.69 (4) (d), 66.0435 (title),
5 66.0435 (1) (b) and (c), 66.0435 (1) (d), 66.0435 (1) (i) and (j), 66.0435 (2) (a),
6 66.0435 (2) (b), 66.0435 (2) (c), 66.0435 (2) (d), 66.0435 (3) (title), 66.0435 (3) (a),
7 66.0435 (3) (c) 1. (intro.), 66.0435 (3) (c) 1. a., 66.0435 (3) (c) 1. c., 66.0435 (3) (c)
8 1. d., 66.0435 (3) (c) 2., 66.0435 (3) (c) 3., 66.0435 (3) (c) 5. and 6., 66.0435 (3) (c)
9 8., 66.0435 (3) (cm) to (f), 66.0435 (3m), 66.0435 (4) (intro.), 66.0435 (4) (b),
10 66.0435 (4) (c), 66.0435 (8), 66.0435 (9), 66.0809 (3), 66.1019 (2), 70.043, 70.111
11 (19) (title), 70.112 (7), 71.07 (6e) (a) 5., 71.07 (9) (a) 3., 71.07 (9) (a) 4., 71.52 (2),
12 71.52 (7), 77.51 (4) (b) 7., 77.51 (13) (am), 77.51 (15) (b) 6., 77.52 (2) (a) 1., 77.53
13 (17), 77.53 (18), 77.54 (7) (b) (intro.), 77.54 (36), 77.61 (1) (a), 77.61 (1) (c), 77.71
14 (4), 77.78, 77.785 (2), 77.995 (2), 79.03 (3) (b) 4. a., 100.21 (1) (a), subchapter III

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(title) of chapter 101 [precedes 101.70], 101.70, 101.71 (4), 101.71 (6) (a) (intro.), 101.71 (6) (b), 101.715, 101.72, 101.73 (1), 101.73 (1m), 101.73 (2), 101.73 (3), 101.73 (5), 101.73 (6), 101.73 (7), 101.73 (11), 101.74 (4), 101.74 (6), 101.74 (7), 101.745 (4), 101.75 (1), 101.75 (2), 101.75 (3), 101.76 (1) (a), 101.761 (3), 101.761 (5), 101.935 (1), 101.971 (2), 106.50 (1m) (L), 138.052 (1) (b), 138.056 (1) (b), 138.056 (1) (bm), 138.056 (1) (d), 138.056 (3m) (a) 4., 138.09 (7) (jm) 1. b., 214.485 (10), 215.205 (1), 218.10 (8m), 234.622 (7), 340.01 (18m), 340.01 (29), 340.01 (48r), 341.12 (1), 343.055 (1) (d), 346.94 (8), 346.94 (8m), 347.15 (2), 347.35 (4), 347.45 (1), 347.47 (2), 347.47 (4), 348.06 (1), 348.07 (2) (c), 348.07 (3) (a), 348.10 (5) (intro.), 348.10 (5) (a), 348.10 (5) (c), 348.26 (4), 348.27 (7), 348.27 (7m), 349.03 (2), 422.201 (12m), 422.202 (2) (intro.), 422.209 (1m) (a) 2., 422.209 (6m), 422.402 (5) (intro.), 422.402 (5) (b), 422.413 (2g) (intro.), 424.301 (1) (b) 1., 707.02 (4), 710.15 (title), 710.15 (1) (b), 710.15 (1) (c), 710.15 (1) (d), 710.15 (1) (f), 710.15 (1m), 710.15 (2), 710.15 (2m) (a), 710.15 (2m) (b), 710.15 (3), 710.15 (4), 710.15 (4m), 710.15 (5m) (intro.), 710.15 (5m) (a), 710.15 (5m) (e), 710.15 (5m) (em), 710.15 (5m) (f), 710.15 (5m) (g), 710.15 (5m) (h), 861.21 (1) (b), 941.20 (1) (d) and 990.01 (14); and **to create** 66.0435 (1) (cm), 66.0435 (3) (c) 9., 70.111 (19) (c), 138.056 (1) (bd), 340.01 (27m), 340.01 (29k) and 710.15 (1) (am) of the statutes; **relating to:** revisions in terminology that affect mobile homes, manufactured homes, modular homes, manufactured buildings, recreational

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- 1 vehicles, and mobile and manufactured home communities, and changes that
2 apply to monthly fees collected by certain local governmental units.
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Analysis by the Legislative Reference Bureau

This bill makes numerous changes to laws governing mobile homes, manufactured homes, and the mobile and manufactured housing industry. The changes primarily include the following:

Use of terms “mobile home,” “manufactured home,” and “modular home”

Under current law, there are several different definitions of the term “mobile home” and of the term “manufactured home.” Also, under current law, “mobile home” is often used as a general term that includes “manufactured home.” Because of changes in the mid-1970s in federal laws that define and regulate mobile and manufactured homes, only manufactured homes as defined under current federal law are being constructed today. This bill creates a single definition for “mobile home” and a single definition for “manufactured home” that apply more generally throughout the statutes by doing the following:

1. The bill establishes the definition of “mobile home” that is used in the subchapter of the statutes regulating the mobile and manufactured housing industry as the general definition of “mobile home” in the statutes. Thus, under the bill, a mobile home generally means a vehicle manufactured or assembled before June 15, 1976, that has an overall length of more than 45 feet, that is designed to be towed as a single unit or in sections on a highway by a motor vehicle, that has walls of rigid noncollapsible construction, and that is equipped and used, or intended to be used, primarily for human habitation. Under the bill, “mobile home” includes the mobile home structure, its plumbing, heating, air conditioning, and electrical systems, and all appliances and all other equipment carrying a manufacturer’s warranty.

2. The bill establishes the definition of “manufactured home” that is used in the subchapter of the statutes regulating the mobile and manufactured housing industry as the general definition of “manufactured home” in the statutes. Thus, under the bill, a manufactured home generally means either a mobile home or a structure designed to be used as a dwelling, either with or without a permanent foundation, that complies with the federal standards established for manufactured homes.

In addition, the bill makes the use of these terms more consistent with their definitions by doing the following:

1. The bill inserts references to “manufactured home” in certain places in current law that refer only to “mobile home” if the use of mobile home under current law is general and meant to include manufactured homes. The bill also inserts references to “manufactured home” in the statutes governing the treatment, for property and other tax purposes, of mobile and manufactured homes as either improvements to real property or as personal property.

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2. The bill changes references to “mobile home” to be references to “manufactured home” in certain statutes that pertain only to structures that are newly constructed, since under federal law only manufactured homes are now being constructed.

The bill also changes references in the statutes to “manufactured buildings” to be references to “modular homes.” Under current law, such buildings are those that are intended for use as a dwelling, are of closed construction, and are fabricated or assembled in manufacturing facilities for installation at the building site or they are of open construction and are made or assembled in manufacturing facilities away from the building site for installation on the building site for which certification is sought by the manufacturer.

Monthly fees

Current law requires each city, town, or village (municipality) in which a mobile home park is located to collect from each mobile home occupying space in the park a monthly parking permit fee. The fee is calculated based on the value of the home multiplied by the general property gross tax rate, less certain credits. The total is divided by 12 to represent the monthly mobile home parking permit fee. Current law provides that the municipality may require the mobile home park operator to collect the fee from the mobile home owner.

The bill replaces the term “parking” wherever it appears in the phrase “monthly parking permit fee” in the statutes with the term “municipal,” so that the fee is called a “monthly municipal permit fee.”

Regulation of recreational vehicles

The bill makes minor modifications to the definition of “recreational vehicle,” and generally clarifies the applicability of certain vehicle regulations to recreational vehicles. The bill also uses the term “recreational vehicle” in place of “mobile home” where “mobile home” is used to refer to temporary living quarters.

Regulation of manufactured home communities

Under current law manufactured home communities and mobile home parks are regulated by the Department of Commerce (Commerce) and by the municipality in which the community or park is located. Generally, under current law, the terms “manufactured home community” and “mobile home park” are used in the statutes to describe similar places.

For purposes of regulation by Commerce, current law provides that a manufactured home community is any plot of ground upon which three or more manufactured homes that are occupied for dwelling or sleeping purposes are located. For purposes of regulation by the local municipality, current law provides that a mobile home park means any plot of ground upon which two or more units, occupied for dwelling or sleeping purposes are located. Consistent with regulation by Commerce, this bill increases from two to three the number of mobile or manufactured homes that must be located on a plot of ground before the ground is subject to regulation by the municipality in which the ground is located.

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This bill also replaces the term “park” with “community” throughout the statutes where the term is used in reference to mobile home or manufactured home parks.

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

1 **SECTION 1.** 30.40 (6) of the statutes is amended to read:

2 30.40 **(6)** “Mobile home” means ~~a prefabricated unit with walls of rigid~~
3 ~~construction that is designed to be towed as a single unit or in sections upon a~~
4 ~~highway by a motor vehicle and that is used or is intended to be used for human~~
5 ~~habitation~~ has the meaning given in s. 101.91 (10).

6 **SECTION 2.** 45.31 (12) of the statutes is amended to read:

7 45.31 **(12)** “Manufactured home” means a structure, as defined by the Federal
8 Home Loan Mortgage Corporation manufactured home, as defined in s. 101.91 (2),
9 which meets or exceeds the statutory size under s. 348.07 (2).

10 **SECTION 3.** 49.47 (4) (b) 1. of the statutes is amended to read:

11 49.47 **(4)** (b) 1. A home and the land used and operated in connection therewith
12 or in lieu thereof a manufactured home or mobile home, if the home ~~or, manufactured~~
13 home, or mobile home is used as the person’s or his or her family’s place of abode.

14 **SECTION 4.** 59.69 (4) (d) of the statutes is amended to read:

15 59.69 **(4)** (d) Trailer camps, or tourist camps and, motels ~~or both,~~ and
16 manufactured and mobile home parks communities.

17 **SECTION 5.** 66.0435 (title) of the statutes is amended to read:

18 **66.0435** (title) **Mobile Manufactured and mobile home parks**
19 communities.

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1 **SECTION 6.** 66.0435 (1) (a) of the statutes is repealed.

2 **SECTION 7.** 66.0435 (1) (b) and (c) of the statutes are amended to read:

3 66.0435 (1) (b) “Licensee” means any person licensed to operate and maintain
4 a manufactured and mobile home park community under this section.

5 (c) “Licensing authority” means the city, town or village wherein a
6 manufactured and mobile home park community is located.

7 **SECTION 8.** 66.0435 (1) (cm) of the statutes is created to read:

8 66.0435 (1) (cm) “Manufactured home” has the meaning given in s. 101.91 (2).

9 **SECTION 9.** 66.0435 (1) (d) of the statutes is amended to read:

10 66.0435 (1) (d) “Mobile home” ~~is that which is, or was as originally constructed,~~
11 ~~designed to be transported by any motor vehicle upon a public highway and designed,~~
12 ~~equipped and used primarily for sleeping, eating and living quarters, or is intended~~
13 ~~to be so used; and includes any additions, attachments, annexes, foundations and~~
14 ~~appurtenances~~ has the meaning given in s. 101.91 (10).

15 **SECTION 10.** 66.0435 (1) (e) of the statutes is renumbered 66.0435 (1) (cg) and
16 amended to read:

17 66.0435 (1) (cg) “Mobile Manufactured and mobile home park community”
18 means any plot or plots of ground upon which 2 3 or more ~~units~~ manufactured homes
19 or mobile homes, occupied for dwelling or sleeping purposes, are located, regardless
20 of whether a charge is made for the accommodation.

21 **SECTION 11.** 66.0435 (1) (f) of the statutes is repealed.

22 **SECTION 12.** 66.0435 (1) (g) of the statutes is renumbered 66.0435 (1) (am) and
23 amended to read:

24 66.0435 (1) (am) “Park Community” means a manufactured and mobile home
25 park community.

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1 **SECTION 13.** 66.0435 (1) (i) and (j) of the statutes are amended to read:

2 66.0435 **(1)** (i) "Space" means a plot of ground within a manufactured and
3 mobile home ~~park~~ community, designed for the accommodation of one manufactured
4 or mobile home ~~unit~~.

5 (j) "Unit" means a single manufactured or mobile home ~~unit~~.

6 **SECTION 14.** 66.0435 (2) (a) of the statutes is amended to read:

7 66.0435 **(2)** (a) It is unlawful for any person to maintain or operate a mobile
8 home ~~park~~ community within the limits of a city, town or village, unless the person
9 has received a license from the city, town or village.

10 **SECTION 15.** 66.0435 (2) (b) of the statutes is amended to read:

11 66.0435 **(2)** (b) In order to protect and promote the public health, morals and
12 welfare and to equitably defray the cost of municipal and educational services
13 required by persons and families using ~~or occupying trailers, mobile homes, trailer~~
14 ~~camps or mobile home parks~~ communities for living, dwelling or sleeping purposes,
15 a city council, village board and town board may do any of the following:

16 1. Establish and enforce by ordinance reasonable standards and regulations
17 for every ~~trailer and trailer camp and every mobile home and mobile home park~~
18 community.

19 2. Require an annual license fee to operate a ~~trailer and trailer camp or mobile~~
20 ~~home and mobile home park~~ community and levy and collect special assessments to
21 defray the cost of municipal and educational services furnished to the ~~trailer and~~
22 ~~trailer camp, or mobile home and mobile home park~~ a community.

23 3. Limit the number of units, ~~trailers or mobile homes~~ that may be parked or
24 kept located in any one ~~camp or park~~ community.

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1 4. Limit the number of licenses for ~~trailer camps or parks~~ communities in any
2 common school district, if the ~~mobile housing~~ development of a community would
3 cause the school costs to increase above the state average or if an exceedingly difficult
4 or impossible situation exists with regard to providing adequate and proper sewage
5 disposal in the particular area.

6 **SECTION 16.** 66.0435 (2) (c) of the statutes is amended to read:

7 66.0435 (2) (c) In a town in which the town board enacts an ordinance
8 regulating ~~trailers~~ manufactured and mobile homes under this section and has also
9 enacted and approved a county zoning ordinance under the provisions of s. 59.69, the
10 provisions of the ordinance which is most restrictive apply with respect to the
11 establishment and operation of a ~~trailer camp~~ community in the town.

12 **SECTION 17.** 66.0435 (2) (d) of the statutes is amended to read:

13 66.0435 (2) (d) A license granted under this section is subject to revocation or
14 suspension for cause by the licensing authority that issued the license upon
15 complaint filed with the clerk of the licensing authority, if the complaint is signed by
16 a law enforcement officer, local health officer, as defined in s. 250.01 (5), or building
17 inspector, after a public hearing upon the complaint. The holder of the license shall
18 be given 10 days' written notice of the hearing, and is entitled to appear and be heard
19 as to why the license should not be revoked. A holder of a license that is revoked or
20 suspended by the licensing authority may within 20 days of the date of the revocation
21 or suspension appeal the decision to the circuit court of the county in which the ~~trailer~~
22 ~~camp or mobile home park~~ community is located by filing a written notice of appeal
23 with the clerk of the licensing authority, together with a bond executed to the
24 licensing authority, in the sum of \$500 with 2 sureties or a bonding company

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1 approved by the clerk, conditioned for the faithful prosecution of the appeal and the
2 payment of costs adjudged against the license holder.

3 **SECTION 18.** 66.0435 (3) (title) of the statutes is amended to read:

4 66.0435 (3) (title) ~~LICENSE AND MONTHLY MOBILE HOME~~ MONTHLY MUNICIPAL PERMIT
5 FEE; REVIEW.

6 **SECTION 19.** 66.0435 (3) (a) of the statutes is amended to read:

7 66.0435 (3) (a) The licensing authority shall collect from the licensee an annual
8 license fee of not less than \$25 nor more than \$100 for each 50 spaces or fraction of
9 50 spaces within each ~~mobile home park~~ community within its limits. If the ~~park~~
10 community lies in more than one municipality the amount of the license fee shall be
11 determined by multiplying the gross fee by a fraction the numerator of which is the
12 number of spaces in the ~~park~~ community in a municipality and the denominator of
13 which is the entire number of spaces in the ~~park~~ community.

14 **SECTION 20.** 66.0435 (3) (c) 1. (intro.) of the statutes is amended to read:

15 66.0435 (3) (c) 1. (intro.) In addition to the license fee provided in pars. (a) and
16 (b), each licensing authority shall collect from each ~~mobile home~~ unit occupying space
17 or lots in a ~~park~~ community in the licensing authority, except from recreational
18 mobile homes as provided under par. (cm), from manufactured and mobile homes
19 that constitute improvements to real property under s. 70.043 (1), and from
20 recreational vehicles as defined in s. 340.01 (48r), and from camping trailers as
21 defined in s. 340.01 (6m), a monthly ~~parking~~ municipal permit fee computed as
22 follows:

23 **SECTION 21.** 66.0435 (3) (c) 1. a. of the statutes is amended to read:

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1 66.0435 (3) (c) 1. a. On January 1, the assessor shall determine the total fair
2 market value of each ~~mobile-home~~ unit in the taxation district subject to the monthly
3 parking municipal permit fee.

4 **SECTION 22.** 66.0435 (3) (c) 1. c. of the statutes is amended to read:

5 66.0435 (3) (c) 1. c. The value of each ~~mobile-home~~ unit, determined under subd.
6 1. b., shall be multiplied by the general property gross tax rate, less any credit rate
7 for the property tax relief credit, established on the preceding year's assessment of
8 general property.

9 **SECTION 23.** 66.0435 (3) (c) 1. d. of the statutes is amended to read:

10 66.0435 (3) (c) 1. d. The total annual parking permit fee, computed under subd.
11 1. c., shall be divided by 12 and shall represent the monthly ~~mobile-home~~ parking
12 municipal permit fee.

13 **SECTION 24.** 66.0435 (3) (c) 2. of the statutes is amended to read:

14 66.0435 (3) (c) 2. The monthly parking municipal permit fee is applicable to
15 ~~mobile-homes~~ units moving into the tax district any time during the year. The park
16 community operator shall furnish information to the tax district clerk and the
17 assessor on ~~mobile-homes~~ units added to the park community within 5 days after
18 their arrival, on forms prescribed by the department of revenue. As soon as the
19 assessor receives the notice of an addition of a ~~mobile-home~~ unit to a park community,
20 the assessor shall determine its fair market value and notify the clerk of that
21 determination. The clerk shall equate the fair market value established by the
22 assessor and shall apply the appropriate tax rate, divide the annual parking permit
23 fee thus determined by 12 and notify the ~~mobile-home~~ unit owner of the monthly fee
24 to be collected from the ~~mobile-home~~ unit owner. Liability for payment of the fee

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1 begins on the first day of the next succeeding month and continues for the months
2 in which the ~~mobile home~~ unit remains in the tax district.

3 **SECTION 25.** 66.0435 (3) (c) 3. of the statutes is amended to read:

4 66.0435 (3) (c) 3. A new monthly parking municipal permit fee and a new
5 valuation shall be established each January and shall continue for that calendar
6 year.

7 **SECTION 26.** 66.0435 (3) (c) 5. and 6. of the statutes are amended to read:

8 66.0435 (3) (c) 5. The monthly parking municipal permit fee shall be paid by
9 the ~~mobile home~~ unit owner to the local taxing authority on or before the 10th of the
10 month following the month for which the parking monthly municipal permit fee is
11 due.

12 6. The licensee of a park community is liable for the monthly parking municipal
13 permit fee for any ~~mobile home~~ unit occupying space in the park community as well
14 as the owner and occupant of the ~~mobile home occupying space~~ each such unit, except
15 that the licensee is not liable until the licensing authority has failed, in an action
16 under ch. 799, to collect the fee from the owner and occupant of the unit. A
17 municipality, by ordinance, may require the ~~mobile home park~~ community operator
18 to collect the monthly parking municipal permit fee from the ~~mobile home~~ unit
19 owner.

20 **SECTION 27.** 66.0435 (3) (c) 7. of the statutes is repealed.

21 **SECTION 28.** 66.0435 (3) (c) 8. of the statutes is amended to read:

22 66.0435 (3) (c) 8. The credit under s. 79.10 (9) (bm), as it applies to the principal
23 dwelling on a parcel of taxable property, applies to the estimated fair market value
24 of a ~~mobile home~~ unit that is the principal dwelling of the owner. The owner of the
25 ~~mobile home~~ unit shall file a claim for the credit with the treasurer of the

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1 municipality in which the property is located. To obtain the credit under s. 79.10 (9)
2 (bm), the owner shall attest on the claim that the ~~mobile home~~ unit is the owner's
3 principal dwelling. The treasurer shall reduce the owner's parking monthly
4 municipal permit fee by the amount of any allowable credit. The treasurer shall
5 furnish notice of all claims for credits filed under this subdivision to the department
6 of revenue as provided under s. 79.10 (1m).

7 **SECTION 29.** 66.0435 (3) (c) 9. of the statutes is created to read:

8 66.0435 (3) (c) 9. No monthly municipal permit fee may be imposed on a
9 financial institution, as defined in s. 69.30 (1) (b), that relates to a vacant unit that
10 has been repossessed by the financial institution.

11 **SECTION 30.** 66.0435 (3) (cm) to (f) of the statutes are amended to read:

12 66.0435 (3) (cm) Recreational mobile homes are exempt from the monthly
13 parking municipal permit fee under par. (c). The exemption under this paragraph
14 also applies to steps and a platform, not exceeding 50 square feet, that lead to a
15 recreational mobile home, but does not apply to any other addition, attachment,
16 patio, or deck.

17 (d) This section does not apply to a ~~mobile home park~~ community that is owned
18 and operated by any county under the provisions of s. 59.52 (16) (b).

19 (e) If a ~~mobile home~~ unit is permitted by local ordinance to be located outside
20 of a licensed park community, the monthly parking municipal permit fee shall be
21 paid by the owner of the land on which it stands, and the owner of the land shall
22 comply with the reporting requirements of par. (c). The owner of the land may collect
23 the fee from the owner of the ~~mobile home~~ unit and, on or before January 10 and on
24 or before July 10, shall transmit to the taxation district all fees owed for the 6 months

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1 ending on the last day of the month preceding the month when the transmission is
2 required.

3 (f) Nothing in this subsection prohibits the regulation by local ordinance of a
4 ~~mobile home park~~ community.

5 **SECTION 31.** 66.0435 (3m) of the statutes is amended to read:

6 66.0435 (3m) ~~PARK~~ COMMUNITY OPERATOR REIMBURSEMENT. A ~~park~~ community
7 operator who is ~~required by municipal ordinance to collect the~~ collects a monthly
8 parking municipal permit fee from ~~the mobile home~~ a unit owner may deduct, for
9 administrative expenses, ~~2%~~ 2 percent of the monthly fees collected.

10 **SECTION 32.** 66.0435 (4) (intro.) of the statutes is amended to read:

11 66.0435 (4) APPLICATION FOR LICENSE. (intro.) Original application for ~~mobile~~
12 ~~home park~~ a community license shall be filed with the clerk of the licensing authority.
13 Applications shall be in writing, signed by the applicant and shall contain the
14 following:

15 **SECTION 33.** 66.0435 (4) (b) of the statutes is amended to read:

16 66.0435 (4) (b) The location and legal description of the ~~mobile home park~~
17 community.

18 **SECTION 34.** 66.0435 (4) (c) of the statutes is amended to read:

19 66.0435 (4) (c) The complete plan of the ~~park~~ community.

20 **SECTION 35.** 66.0435 (5) of the statutes is repealed.

21 **SECTION 36.** 66.0435 (8) of the statutes is amended to read:

22 66.0435 (8) DISTRIBUTION OF FEES. The licensing authority may retain ~~10%~~ 10
23 percent of the monthly parking municipal permit fees collected in each month,
24 without reduction for any amounts deducted under sub. (3m), to cover the cost of
25 administration. The licensing authority shall pay to the school district in which the

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1 ~~park community~~ is located, within 20 days after the end of each month, such
2 proportion of the remainder of the fees collected in the preceding month as the ratio
3 of the most recent property tax levy for school purposes bears to the total tax levy for
4 all purposes in the licensing authority. If the ~~park community~~ is located in more than
5 one school district, each district shall receive a share in the proportion that its
6 property tax levy for school purposes bears to the total school tax levy.

7 **SECTION 37.** 66.0435 (9) of the statutes is amended to read:

8 66.0435 **(9)** MUNICIPALITIES; PARKING MONTHLY MUNICIPAL PERMIT FEES ON MOBILE
9 HOMES AND RECREATIONAL VEHICLES. A licensing authority may assess ~~parking~~
10 monthly municipal permit fees at the rates under this section on recreational mobile
11 homes and recreational vehicles, as defined in s. 340.01 (48r), except recreational
12 mobile homes which and recreational vehicles that are located in campgrounds
13 licensed under s. 254.47, recreational mobile homes that constitute improvements
14 to real property under s. 70.043 (1), and recreational mobile homes which or
15 recreational vehicles that are located on land where the principal residence of the
16 owner of the recreational mobile home or recreational vehicle is located, regardless
17 of whether the recreational mobile home or recreational vehicle is occupied during
18 all or part of any calendar year.

19 **SECTION 38.** 66.0809 (3) of the statutes is amended to read:

20 66.0809 **(3)** Except as provided in subs. (4) and (5), on October 15 in each year
21 notice shall be given to the owner or occupant of all lots or parcels of real estate to
22 which utility service has been furnished prior to October 1 by a public utility operated
23 by a town, city or village and payment for which is owing and in arrears at the time
24 of giving the notice. The department in charge of the utility shall furnish the
25 treasurer with a list of the lots or parcels of real estate for which utility service

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1 charges are in arrears, and the notice shall be given by the treasurer, unless the
2 governing body of the city, village or town authorizes notice to be given directly by
3 the department. The notice shall be in writing and shall state the amount of arrears,
4 including any penalty assessed pursuant to the rules of the utility; that unless the
5 amount is paid by November 1 a penalty of 10% 10 percent of the amount of arrears
6 will be added; and that unless the arrears, with any added penalty, are paid by
7 November 15, the arrears and penalty will be levied as a tax against the lot or parcel
8 of real estate to which utility service was furnished and for which payment is
9 delinquent. The notice may be served by delivery to either the owner or occupant
10 personally, or by letter addressed to the owner or occupant at the post-office address
11 of the lot or parcel of real estate. On November 16 the officer or department issuing
12 the notice shall certify and file with the clerk a list of all lots or parcels of real estate,
13 giving the legal description, for which notice of arrears was given and for which
14 arrears remain unpaid, stating the amount of arrears and penalty. Each delinquent
15 amount, including the penalty, becomes a lien upon the lot or parcel of real estate to
16 which the utility service was furnished and payment for which is delinquent, and the
17 clerk shall insert the delinquent amount and penalty as a tax against the lot or parcel
18 of real estate. All proceedings in relation to the collection of general property taxes
19 and to the return and sale of property for delinquent taxes apply to the tax if it is not
20 paid within the time required by law for payment of taxes upon real estate. Under
21 this subsection, if an arrearage is for utility service furnished and metered by the
22 utility directly to a manufactured home or mobile home unit in a licensed
23 manufactured and mobile home park community, the notice shall be given to the
24 owner of the manufactured home or mobile home unit and the delinquent amount
25 becomes a lien on the manufactured home or mobile home unit rather than a lien on

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1 the parcel of real estate on which the manufactured home or mobile home unit is
2 located. A lien on a manufactured home or mobile home unit may be enforced using
3 the procedures under s. 779.48 (2). This subsection does not apply to arrearages
4 collected using the procedure under s. 66.0627. In this subsection, “metered” means
5 the use of any method to ascertain the amount of service used or the use of a flat rate
6 billing method.

7 **SECTION 39.** 66.1019 (2) of the statutes is amended to read:

8 66.1019 (2) ~~MANUFACTURED BUILDING~~ MODULAR HOME CODE. Ordinances enacted
9 by any county, city, village or town relating to the on-site inspection of the
10 installation of ~~manufactured buildings~~ modular homes shall conform to subch. III of
11 ch. 101.

12 **SECTION 40.** 70.043 of the statutes is amended to read:

13 **70.043 Mobile homes and manufactured homes.** (1) A mobile home, as
14 defined in s. 66.0435 (1) (d) 101.91 (10), or a manufactured home, as defined in s.
15 101.91 (2), is an improvement to real property if it is connected to utilities and is set
16 upon a foundation upon land which is owned by the mobile home or manufactured
17 home owner. In this section, a mobile home or manufactured home is “set upon a
18 foundation” if it is off its wheels and is set upon some other support.

19 (2) A mobile home, as defined in s. ~~66.0435 (1) (d)~~ 101.91 (10), or a
20 manufactured home, as defined in s. 101.91 (2), is personal property if the land upon
21 which it is located is not owned by the mobile home or manufactured home owner or
22 if the mobile home or manufactured home is not set upon a foundation or connected
23 to utilities.

24 **SECTION 41.** 70.111 (19) (title) of the statutes is amended to read:

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1 70.111 (19) (title) CAMPING TRAILERS ~~AND~~, RECREATIONAL MOBILE HOMES, AND
2 RECREATIONAL VEHICLES.

3 **SECTION 42.** 70.111 (19) (c) of the statutes is created to read:

4 70.111 (19) (c) Recreational vehicles, as defined in s. 340.01 (48r).

5 **SECTION 43.** 70.112 (7) of the statutes is amended to read:

6 70.112 (7) MOBILE HOMES AND MANUFACTURED HOMES. Every ~~mobile home unit,~~
7 as defined in s. 66.0435 (1) (j), that is subject to a monthly parking municipal permit
8 fee under s. 66.0435 (3).

9 **SECTION 44.** 71.07 (6e) (a) 5. of the statutes is amended to read:

10 71.07 (6e) (a) 5. “Property taxes” means real and personal property taxes,
11 exclusive of special assessments, delinquent interest, and charges for service, paid
12 by a claimant, and the claimant’s spouse if filing a joint return, on the eligible
13 veteran’s or unremarried surviving spouse’s principal dwelling in this state during
14 the taxable year for which credit under this subsection is claimed, less any property
15 taxes paid which are properly includable as a trade or business expense under
16 section 162 of the Internal Revenue Code. If the principal dwelling on which the
17 taxes were paid is owned by 2 or more persons or entities as joint tenants or tenants
18 in common or is owned by spouses as marital property, “property taxes” is that part
19 of property taxes paid that reflects the ownership percentage of the claimant, except
20 that this limitation does not apply to spouses who file a joint return. If the principal
21 dwelling is sold during the taxable year, the “property taxes” for the seller and buyer
22 shall be the amount of the tax prorated to each in the closing agreement pertaining
23 to the sale or, if not so provided for in the closing agreement, the tax shall be prorated
24 between the seller and buyer in proportion to months of their respective ownership.

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1 “Property taxes” includes monthly parking municipal permit fees in respect to a
2 principal dwelling collected under s. 66.0435 (3) (c).

3 **SECTION 45.** 71.07 (9) (a) 3. of the statutes is amended to read:

4 71.07 (9) (a) 3. “Property taxes” means real and personal property taxes,
5 exclusive of special assessments, delinquent interest and charges for service, paid by
6 a claimant on the claimant’s principal dwelling during the taxable year for which
7 credit under this subsection is claimed, less any property taxes paid which are
8 properly includable as a trade or business expense under section 162 of the ~~internal~~
9 ~~revenue code~~ Internal Revenue Code. If the principal dwelling on which the taxes
10 were paid is owned by 2 or more persons or entities as joint tenants or tenants in
11 common or is owned by spouses as marital property, “property taxes” is that part of
12 property taxes paid that reflects the ownership percentage of the claimant. If the
13 principal dwelling is sold during the taxable year the “property taxes” for the seller
14 and buyer shall be the amount of the tax prorated to each in the closing agreement
15 pertaining to the sale or, if not so provided for in the closing agreement, the tax shall
16 be prorated between the seller and buyer in proportion to months of their respective
17 ownership. “Property taxes” includes monthly parking municipal permit fees in
18 respect to a principal dwelling collected under s. 66.0435 (3) (c).

19 **SECTION 46.** 71.07 (9) (a) 4. of the statutes is amended to read:

20 71.07 (9) (a) 4. “Rent constituting property taxes” means ~~25%~~ 25 percent of rent
21 if heat is not included, or ~~20%~~ 20 percent of rent if heat is included, paid during the
22 taxable year for which credit is claimed under this subsection, at arm’s length, for
23 the use of a principal dwelling and contiguous land, excluding any payment for
24 domestic, food, medical or other services which are unrelated to use of the dwelling
25 as housing, less any rent paid that is properly includable as a trade or business

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1 expense under the internal revenue code. "Rent" includes space rental paid to a
2 landlord for parking a mobile home or manufactured home. Rent shall be
3 apportioned among the occupants of a principal dwelling according to their
4 respective contribution to the total amount of rent paid. "Rent" does not include rent
5 paid for the use of housing which was exempt from property taxation, except housing
6 for which payments in lieu of taxes were made under s. 66.1201 (22).

7 **SECTION 47.** 71.52 (2) of the statutes is amended to read:

8 71.52 (2) "Gross rent" means rental paid at arm's length, solely for the right
9 of occupancy of a homestead. "Gross rent" does not include, whether expressly set
10 out in the rental agreement or not, charges for any medical services; other personal
11 services such as laundry, transportation, counseling, grooming, recreational and
12 therapeutic services; shared living expenses, including but not limited to food,
13 supplies and utilities unless utility payments are included in the gross rent paid to
14 the landlord; and food furnished by the landlord as a part of the rental agreement.
15 "Gross rent" includes the rental paid to a landlord for parking of a mobile home or
16 manufactured home, exclusive of any charges for food furnished by the landlord as
17 a part of the rental agreement, plus parking monthly municipal permit fees paid
18 under s. 66.0435 (3) (c) for a rented mobile home or manufactured home. If a
19 homestead is an integral part of a multipurpose or multidwelling building, "gross
20 rent" is the percentage of the gross rent on that part of the multipurpose or
21 multidwelling building occupied by the household as a principal residence plus the
22 same percentage of the gross rent on the land surrounding it, not exceeding one acre,
23 that is reasonably necessary for use of the multipurpose or multidwelling building
24 as a principal residence, except as the limitations under s. 71.54 (2) (b) apply. If the
25 homestead is part of a farm, "gross rent" is the rent on up to 120 acres of the land

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1 contiguous to the claimant's principal residence plus the rent on all improvements
2 to real property on that land, except as the limitations under s. 71.54 (2) (b) apply.
3 If a claimant and persons who are not members of the claimant's household reside
4 in a homestead, the claimant's "gross rent" is the gross rent paid by the claimant to
5 the landlord for the homestead.

6 **SECTION 48.** 71.52 (7) of the statutes is amended to read:

7 71.52 (7) "Property taxes accrued" means real or personal property taxes or
8 monthly ~~parking~~ municipal permit fees under s. 66.0435 (3) (c), exclusive of special
9 assessments, delinquent interest and charges for service, levied on a homestead
10 owned by the claimant or a member of the claimant's household. "Real or personal
11 property taxes" means those levied under ch. 70, less the tax credit, if any, afforded
12 in respect of such property by s. 79.10. If a homestead is owned by 2 or more persons
13 or entities as joint tenants or tenants in common or is owned as marital property or
14 survivorship marital property and one or more such persons, entities or owners is not
15 a member of the claimant's household, property taxes accrued is that part of property
16 taxes accrued levied on such homestead, reduced by the tax credit under s. 79.10,
17 that reflects the ownership percentage of the claimant and the claimant's household,
18 except that if a homestead is owned by 2 or more natural persons or if 2 or more
19 natural persons have an interest in a homestead, one or more of whom is not a
20 member of the claimant's household, and the claimant has a present interest, as that
21 term is used in s. 700.03 (1), in the homestead and is required by the terms of a will
22 that transferred the homestead or interest in the homestead to the claimant to pay
23 the entire amount of property taxes levied on the homestead, property taxes accrued
24 is property taxes accrued levied on such homestead, reduced by the tax credit under
25 s. 79.10. A marital property agreement or unilateral statement under ch. 766 has

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1 no effect in computing property taxes accrued for a person whose homestead is not
2 the same as the homestead of that person's spouse. For purposes of this subsection,
3 property taxes are "levied" when the tax roll is delivered to the local treasurer for
4 collection. If a homestead is sold or purchased during the calendar year of the levy,
5 the property taxes accrued for the seller and the buyer are the amount of the tax levy
6 prorated to each in proportion to the periods of time each both owned and occupied
7 the homestead during the year to which the claim relates. The seller may use the
8 closing agreement pertaining to the sale of the homestead, the property tax bill for
9 the year before the year to which the claim relates or the property tax bill for the year
10 to which the claim relates as the basis for computing property taxes accrued, but
11 those taxes are allowable only for the portion of the year during which the seller
12 owned and occupied the sold homestead. If a household owns and occupies 2 or more
13 homesteads in the same calendar year, property taxes accrued is the sum of the
14 prorated property taxes accrued attributable to the household for each of such
15 homesteads. If the household owns and occupies the homestead for part of the
16 calendar year and rents a homestead for part of the calendar year, it may include both
17 the proration of taxes on the homestead owned and rent constituting property taxes
18 accrued with respect to the months the homestead is rented in computing the amount
19 of the claim under s. 71.54 (1). If a homestead is an integral part of a multipurpose
20 or multidwelling building, property taxes accrued are the percentage of the property
21 taxes accrued on that part of the multipurpose or multidwelling building occupied
22 by the household as a principal residence plus that same percentage of the property
23 taxes accrued on the land surrounding it, not exceeding one acre, that is reasonably
24 necessary for use of the multipurpose or multidwelling building as a principal
25 residence, except as the limitations of s. 71.54 (2) (b) apply. If the homestead is part

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1 of a farm, property taxes accrued are the property taxes accrued on up to 120 acres
2 of the land contiguous to the claimant's principal residence and include the property
3 taxes accrued on all improvements to real property located on such land, except as
4 the limitations of s. 71.54 (2) (b) apply.

5 **SECTION 49.** 77.51 (4) (b) 7. of the statutes is amended to read:

6 77.51 **(4)** (b) 7. For the sale of a ~~manufactured building~~ modular home, as
7 defined in s. 101.71 (6), or a manufactured home, as defined in s. 101.91 (2); at the
8 retailer's option, except that after a retailer chooses an option, the retailer may not
9 use the other option for other sales without the department's written approval; either
10 ~~35%~~ 35 percent of the gross receipts or an amount equal to the gross receipts minus
11 the cost of the materials that become an ingredient or component part of the building.

12 **SECTION 50.** 77.51 (13) (am) of the statutes is amended to read:

13 77.51 **(13)** (am) Any person making any retail sale of a motor vehicle, aircraft,
14 snowmobile, ~~mobile home not exceeding 45 feet in length~~ recreational vehicle, trailer,
15 semitrailer, all-terrain vehicle or boat registered or titled, or required to be
16 registered or titled, under the laws of this state or of the United States.

17 **SECTION 51.** 77.51 (15) (b) 6. of the statutes is amended to read:

18 77.51 **(15)** (b) 6. For the sale of a ~~manufactured building~~ modular home, as
19 defined in s. 101.71 (6), or a manufactured home, as defined in s. 101.91 (2); at the
20 retailer's option, except that after a retailer chooses an option, the retailer may not
21 use the other option for other sales without the department's written approval; either
22 ~~35%~~ 35 percent of the sales price or an amount equal to the sales price minus the cost
23 of the materials that become an ingredient or component part of the building.

24 **SECTION 52.** 77.52 (2) (a) 1. of the statutes is amended to read:

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1 77.52 (2) (a) 1. The furnishing of rooms or lodging to transients by hotelkeepers,
2 motel operators and other persons furnishing accommodations that are available to
3 the public, irrespective of whether membership is required for use of the
4 accommodations. In this subdivision, "transient" means any person residing for a
5 continuous period of less than one month in a hotel, motel or other furnished
6 accommodations available to the public. In this subdivision, "hotel" or "motel" means
7 a building or group of buildings in which the public may obtain accommodations for
8 a consideration, including, without limitation, such establishments as inns, motels,
9 tourist homes, tourist houses or courts, lodging houses, rooming houses, summer
10 camps, apartment hotels, resort lodges and cabins and any other building or group
11 of buildings in which accommodations are available to the public, except
12 accommodations, including mobile homes as defined in s. 66.0435 (1) (d) 101.91 (10),
13 manufactured homes as defined in s. 101.91 (2), and recreational vehicles as defined
14 in s. 340.01 (48r), rented for a continuous period of more than one month and
15 accommodations furnished by any hospitals, sanatoriums, or nursing homes, or by
16 corporations or associations organized and operated exclusively for religious,
17 charitable or educational purposes provided that no part of the net earnings of such
18 corporations and associations inures to the benefit of any private shareholder or
19 individual. In this subdivision, "one month" means a calendar month or 30 days,
20 whichever is less, counting the first day of the rental and not counting the last day
21 of the rental.

22 **SECTION 53.** 77.53 (17) of the statutes is amended to read:

23 77.53 (17) This section does not apply to tangible personal property purchased
24 outside this state, other than motor vehicles, boats, snowmobiles, ~~mobile homes not~~
25 ~~exceeding 45 feet in length~~ recreational vehicles, trailers, semitrailers, all-terrain

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1 vehicles and airplanes registered or titled or required to be registered or titled in this
2 state, which is brought into this state by a nondomiciliary for the person's own
3 storage, use or other consumption while temporarily within this state when such
4 property is not stored, used or otherwise consumed in this state in the conduct of a
5 trade, occupation, business or profession or in the performance of personal services
6 for wages or fees.

7 **SECTION 54.** 77.53 (18) of the statutes is amended to read:

8 77.53 (18) This section does not apply to the storage, use or other consumption
9 in this state of household goods for personal use or to aircraft, motor vehicles, boats,
10 snowmobiles, mobile homes, manufactured homes, recreational vehicles, trailers,
11 semitrailers and all-terrain vehicles, for personal use, purchased by a
12 nondomiciliary of this state outside this state 90 days or more before bringing the
13 goods or property into this state in connection with a change of domicile to this state.

14 **SECTION 55.** 77.54 (7) (b) (intro.) of the statutes is amended to read:

15 77.54 (7) (b) (intro.) If the item transferred is a motor vehicle, snowmobile,
16 ~~mobile home not exceeding 45 feet in length~~ recreational vehicle, trailer, semitrailer,
17 all-terrain vehicle or aircraft and the item is registered or titled, or required to be
18 registered or titled, in this state or if the item is a boat that is registered or titled, or
19 required to be registered or titled, in this state or under the laws of the United States,
20 the exemption under par. (a) applies only if all of the following conditions are
21 fulfilled:

22 **SECTION 56.** 77.54 (36) of the statutes is amended to read:

23 77.54 (36) The gross receipts from the rental for a continuous period of one
24 month or more of a mobile home, as defined in s. ~~66.0435 (1) (d)~~ 101.91 (10), or a
25 manufactured home, as defined in s. 101.91 (2), that is used as a residence. In this

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1 subsection, “one month” means a calendar month or 30 days, whichever is less,
2 counting the first day of the rental and not counting the last day of the rental.

3 **SECTION 57.** 77.61 (1) (a) of the statutes is amended to read:

4 77.61 (1) (a) No motor vehicle, boat, snowmobile, ~~mobile home not exceeding~~
5 ~~45 feet in length~~ recreational vehicle, trailer, semitrailer, all-terrain vehicle or
6 aircraft shall be registered or titled in this state unless the registrant presents proof
7 that the sales or use taxes imposed by this subchapter have been paid.

8 **SECTION 58.** 77.61 (1) (c) of the statutes is amended to read:

9 77.61 (1) (c) In the case of motor vehicles, boats, snowmobiles, ~~mobile homes~~
10 ~~not exceeding 45 feet in length~~ recreational vehicles, trailers, semitrailers,
11 all-terrain vehicles or aircraft registered or titled, or required to be registered or
12 titled, in this state purchased from persons who are not Wisconsin boat, trailer or
13 semitrailer dealers, licensed Wisconsin aircraft, motor vehicle or ~~mobile home~~
14 recreational vehicle dealers or registered Wisconsin snowmobile or all-terrain
15 vehicle dealers, the purchaser shall file a sales tax return and pay the tax prior to
16 registering or titling the motor vehicle, boat, snowmobile, ~~mobile home not exceeding~~
17 ~~45 feet in length, trailer~~ recreational vehicle, semitrailer, all-terrain vehicle or
18 aircraft in this state.

19 **SECTION 59.** 77.71 (4) of the statutes is amended to read:

20 77.71 (4) An excise tax is imposed at the rate of ~~0.5%~~ 0.5 percent in the case
21 of a county tax or at the rate under s. 77.705 or 77.706 in the case of a special district
22 tax of the sales price upon every person storing, using or otherwise consuming a
23 motor vehicle, boat, snowmobile, ~~mobile home not exceeding 45 feet in length~~
24 recreational vehicle, trailer, semitrailer, all-terrain vehicle or aircraft, if that
25 property must be registered or titled with this state and if that property is to be

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1 customarily kept in a county that has in effect an ordinance under s. 77.70 or in a
2 special district that has in effect a resolution under s. 77.705 or 77.706, except that
3 if the buyer has paid a similar local sales tax in another state on a purchase of the
4 same property that tax shall be credited against the tax under this subsection.

5 **SECTION 60.** 77.78 of the statutes is amended to read:

6 **77.78 Registration.** No motor vehicle, boat, snowmobile, ~~mobile home not~~
7 ~~exceeding 45 feet in length~~ recreational vehicle, trailer, semitrailer, all-terrain
8 vehicle or aircraft that is required to be registered by this state may be registered or
9 titled by this state unless the registrant files a sales and use tax report and pays the
10 county tax and special district tax at the time of registering or titling to the state
11 agency that registers or titles the property. That state agency shall transmit those
12 tax revenues to the department of revenue.

13 **SECTION 61.** 77.785 (2) of the statutes is amended to read:

14 **77.785 (2)** Prior to registration or titling, boat, all-terrain vehicle, trailer and
15 semi-trailer dealers and licensed aircraft, motor vehicle, ~~mobile home~~ manufactured
16 home, recreational vehicle, and snowmobile dealers shall collect the taxes under this
17 subchapter on sales of items under s. 77.71 (4). The dealer shall remit those taxes
18 to the department of revenue along with payments of the taxes under subch. III.

19 **SECTION 62.** 77.995 (2) of the statutes is amended to read:

20 **77.995 (2)** There is imposed a fee at the rate of 5% 5 percent of the gross receipts
21 on the rental, but not for rerental and not for rental as a service or repair replacement
22 vehicle of Type 1 automobiles, as defined in s. 340.01 (4) (a); of mobile homes, as
23 defined in s. 340.01 (29); of recreational vehicles, as defined in s. 340.01 (48r); of
24 motor homes, as defined in s. 340.01 (33m); and of camping trailers, as defined in s.
25 340.01 (6m) by establishments primarily engaged in short-term rental of vehicles

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1 without drivers, for a period of 30 days or less, unless the sale is exempt from the sales
2 tax under s. 77.54 (1), (4), (7) (a), (7m) or (9a). There is also imposed a fee at the rate
3 of 5% 5 percent of the gross receipts on the rental of limousines.

4 **SECTION 63.** 79.03 (3) (b) 4. a. of the statutes is amended to read:

5 79.03 (3) (b) 4. a. "Local general purpose taxes" means the portion of tax
6 increments collected for payment to a municipality under s. 66.1105 which is
7 attributable to that municipality's own levy, the portion of environmental
8 remediation tax increments collected for payment to a municipality or county under
9 s. 66.1106 that is attributable to that municipality's or county's own levy, general
10 property taxes, excluding taxes for a county children with disabilities education
11 board, collected to finance the general purpose government unit, property taxes
12 collected for sewage and sanitary districts, ~~mobile home~~ monthly municipal permit
13 fees under s. 66.0435 (3), the proceeds of county sales and use taxes and municipal
14 and county vehicle registration fees under s. 341.35 (1).

15 **SECTION 64.** 100.21 (1) (a) of the statutes is amended to read:

16 100.21 (1) (a) "Dwelling unit" means a dwelling, as defined under s. 101.61, a
17 ~~manufactured building~~ modular home, as defined under s. 101.71 (6), a
18 manufactured home, as defined under s. 101.91 (2), or a multifamily dwelling, as
19 defined under s. 101.971 (2).

20 **SECTION 65.** Subchapter III (title) of chapter 101 [precedes 101.70] of the
21 statutes is amended to read:

22 **CHAPTER 101**

23 **SUBCHAPTER III**

24 **MANUFACTURED BUILDING MODULAR HOME CODE**

25 **SECTION 66.** 101.70 of the statutes is amended to read:

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1 **101.70 Purpose.** The purpose of this subchapter is to establish statewide
2 standards and inspection procedures for the manufacture and installation of
3 ~~manufactured buildings for dwellings~~ modular homes and to promote interstate
4 uniformity in standards for ~~manufactured buildings~~ modular homes by authorizing
5 the department to enter into reciprocal agreements with other states ~~which~~ that
6 have equivalent standards.

7 **SECTION 67.** 101.71 (4) of the statutes is amended to read:

8 101.71 (4) “Installation” means the assembly of a ~~manufactured building~~
9 modular home on-site and the process of affixing a ~~manufactured building~~ modular
10 home to land, a foundation, footing, or an existing building.

11 **SECTION 68.** 101.71 (6) (a) (intro.) of the statutes is amended to read:

12 101.71 (6) (a) (intro.) “~~Manufactured building~~ Modular home” means any
13 structure or component thereof which is intended for use as a dwelling and:

14 **SECTION 69.** 101.71 (6) (b) of the statutes is amended to read:

15 101.71 (6) (b) “~~Manufactured building~~ Modular home” does not mean any
16 manufactured home under s. 101.91 or any building of open construction which is not
17 subject to par. (a) 2.

18 **SECTION 70.** 101.715 of the statutes is amended to read:

19 **101.715 Application.** This subchapter applies to a dwelling the initial
20 construction of which was commenced on or after December 1, 1978, except that s.
21 101.745 applies to a ~~manufactured building~~ modular home the initial manufacture
22 of which was commenced on or after May 23, 1978.

23 **SECTION 71.** 101.72 of the statutes is amended to read:

24 **101.72 Dwelling code council.** The dwelling code council shall review the
25 standards and rules for ~~manufactured buildings~~ modular homes for dwellings and

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1 recommend a statewide ~~manufactured building~~ modular home code for adoption by
2 the department which shall include rules providing for the conservation of energy in
3 the construction and maintenance of dwellings. Such rules shall take into account
4 the costs to home buyers of specific code provisions in relation to the benefits derived
5 therefrom. Upon its own initiative or at the request of the department, the council
6 shall consider and make recommendations to the department pertaining to rules and
7 any other matters related to this subchapter.

8 **SECTION 72.** 101.73 (1) of the statutes is amended to read:

9 101.73 (1) Adopt rules which establish standards for the use of building
10 materials, methods and equipment in the manufacture and installation of
11 ~~manufactured buildings~~ modular homes for use as dwellings or dwelling units.
12 Where feasible, the standards used shall be those nationally recognized and shall
13 apply to the dwelling and to its electrical, heating, ventilating, air conditioning and
14 other systems. Such rules shall take into account the conservation of energy in
15 construction and maintenance of dwellings and the costs to home buyers of specific
16 code provisions in relation to the benefits derived therefrom.

17 **SECTION 73.** 101.73 (1m) of the statutes is amended to read:

18 101.73 (1m) Adopt a rule which requires any ~~manufactured building~~ modular
19 home which uses electricity for space heating to be superinsulated.

20 **SECTION 74.** 101.73 (2) of the statutes is amended to read:

21 101.73 (2) Adopt rules for the examination of plans and specifications and for
22 periodic in-plant and on-site inspections of manufacturing facilities, processes,
23 fabrication, assembly and installation of ~~manufactured buildings~~ modular homes to
24 ensure that examinations and inspections are made in compliance with the rules
25 adopted for construction, electrical wiring, heating, ventilating, air conditioning and

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1 other systems under ss. 101.70 to 101.77 and with the rules for indoor plumbing
2 adopted by the department under ch. 145.

3 **SECTION 75.** 101.73 (3) of the statutes is amended to read:

4 101.73 (3) Provide for examination of plans and specifications and in-plant
5 inspections when contracted for by the manufacturer under s. 101.75 (1) and shall
6 contract to provide on-site inspection services for the installation of ~~manufactured~~
7 ~~buildings~~ modular homes for dwellings, at municipal expense, for any municipality
8 which requires such service under s. 101.76 or 101.761.

9 **SECTION 76.** 101.73 (5) of the statutes is amended to read:

10 101.73 (5) Adopt rules for the certification, including provisions for suspension
11 and revocation thereof, of on-site inspectors of the installation of ~~manufactured~~
12 ~~buildings~~ modular homes for dwellings. Persons certified as on-site inspectors may
13 be employees of the department, a city, village, town or county or an independent
14 agency.

15 **SECTION 77.** 101.73 (6) of the statutes is amended to read:

16 101.73 (6) Adopt rules for the certification, including provisions for suspension
17 and revocation thereof, of independent inspection agencies to conduct in-plant
18 inspections of manufacturing facilities, processes, fabrication and assembly of
19 ~~manufactured buildings~~ modular homes for dwellings and to certify compliance with
20 this subchapter.

21 **SECTION 78.** 101.73 (7) of the statutes is amended to read:

22 101.73 (7) Issue or recognize an insignia of compliance for dwellings which
23 conform to the ~~manufactured building~~ modular home code.

24 **SECTION 79.** 101.73 (11) of the statutes is amended to read:

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1 101.73 **(11)** Hear petitions regarding the ~~manufactured building~~ modular
2 home code, rules and special orders in accordance with s. 101.02 (6) (e) to (i) and (8).

3 **SECTION 80.** 101.74 (4) of the statutes is amended to read:

4 101.74 **(4)** Provide for or engage in the testing, approval and certification of
5 materials, devices and methods for the manufacture or installation of ~~manufactured~~
6 buildings modular homes.

7 **SECTION 81.** 101.74 (6) of the statutes is amended to read:

8 101.74 **(6)** Adopt rules prescribing procedures for approving new building
9 materials, devices and methods for the manufacture or installation of ~~manufactured~~
10 buildings modular homes for dwellings.

11 **SECTION 82.** 101.74 (7) of the statutes is amended to read:

12 101.74 **(7)** Enter into reciprocal agreements with other states regarding the
13 design, construction, inspection and labeling of ~~manufactured buildings~~ modular
14 homes where the laws or rules of other states meet the intent of the ~~manufactured~~
15 building modular home code and the rules promulgated under this subchapter.

16 **SECTION 83.** 101.745 (4) of the statutes is amended to read:

17 101.745 **(4)** REQUIREMENT. The manufacturer of a ~~manufactured building~~
18 modular home shall install a functional smoke detector on each floor level except the
19 attic or storage area of each dwelling unit.

20 **SECTION 84.** 101.75 (1) of the statutes is amended to read:

21 101.75 **(1)** INSPECTIONS AND COMPLIANCE. Manufacturers of ~~manufactured~~
22 buildings modular homes shall contract with a certified independent inspection
23 agency or the department to conduct in-plant inspections and certify compliance
24 with this subchapter. Manufacturers shall reimburse the independent inspection
25 agency in accordance with the terms of the contract or reimburse the department in

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1 accordance with fees established under s. 101.73 (12). All inspections shall be
2 performed by persons certified by the department.

3 **SECTION 85.** 101.75 (2) of the statutes is amended to read:

4 101.75 (2) DISPLAY OF INSIGNIA REQUIRED. All ~~manufactured buildings~~ modular
5 homes manufactured, sold for initial use or installed within this state shall display,
6 in a manner determined by the department, the insignia issued or recognized under
7 ss. 101.73 (7) and 101.74 (7). All ~~manufactured buildings~~ modular homes bearing
8 such insignia shall be deemed to comply with the requirements of all building
9 ordinances and regulations of any local government except those related to zoning
10 and siting requisites including but not limited to building setback, side and rear yard
11 requirements and property line requirements.

12 **SECTION 86.** 101.75 (3) of the statutes is amended to read:

13 101.75 (3) DEPARTMENT APPROVAL OF ALTERATIONS. No person shall alter an
14 approved ~~manufactured building~~ modular home in any way prior to or during
15 installation without the approval of the department.

16 **SECTION 87.** 101.76 (1) (a) of the statutes is amended to read:

17 101.76 (1) (a) With the approval of the department, exercise jurisdiction over
18 the installation of ~~manufactured buildings~~ modular homes for dwellings by passage
19 of ordinances, provided such ordinances are in strict conformance with this
20 subchapter and the on-site inspection is performed by persons certified by the
21 department. Except as provided by s. 101.761, a county ordinance shall apply in any
22 city, village or town which has not enacted such ordinance.

23 **SECTION 88.** 101.761 (3) of the statutes is amended to read:

24 101.761 (3) The department or a county may not enforce this subchapter or an
25 ordinance adopted under s. 101.76 (1) (a) or provide inspection services in a

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1 municipality unless requested to do so by a person with respect to a particular
2 ~~manufactured building~~ modular home or by the municipality. A request by a person
3 or a municipality with respect to a particular ~~manufactured building~~ modular home
4 does not give the department or a county authority with respect to any other
5 ~~manufactured building~~ modular home. Costs shall be collected under s. 101.76 (1)
6 (c) or ss. 101.73 (12) and 101.76 (2) from the person or municipality making the
7 request.

8 **SECTION 89.** 101.761 (5) of the statutes is amended to read:

9 101.761 (5) This section does not affect the applicability of or ordinances
10 adopted under this subchapter to manufacturers, builders and owners of
11 ~~manufactured buildings~~ modular homes located in a municipality.

12 **SECTION 90.** 101.935 (1) of the statutes is amended to read:

13 101.935 (1) The department shall license and regulate manufactured home
14 ~~parks~~ communities. The department may investigate manufactured home ~~parks~~
15 communities and, with notice, may enter and inspect private property.

16 **SECTION 91.** 101.971 (2) of the statutes is amended to read:

17 101.971 (2) "Multifamily dwelling" means an apartment building, rowhouse,
18 town house, condominium, or ~~manufactured building~~ modular home, as defined in
19 s. 101.71 (6), that does not exceed 60 feet in height or 6 stories and that consists of
20 3 or more attached dwelling units the initial construction of which is begun on or
21 after January 1, 1993. "Multifamily dwelling" does not include a facility licensed
22 under ch. 50.

23 **SECTION 92.** 106.50 (1m) (L) of the statutes is amended to read:

24 106.50 (1m) (L) "Housing" means any improved property, or any portion
25 thereof, including a mobile home as defined in s. ~~66.0435 (1) (d)~~ 101.91 (10).

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1 manufactured home, as defined in s. 101.91 (2), or condominium, that is used or
2 occupied, or is intended, arranged or designed to be used or occupied, as a home or
3 residence. "Housing" includes any vacant land that is offered for sale or rent for the
4 construction or location thereon of any building, structure or portion thereof that is
5 used or occupied, or is intended, arranged or designed to be used or occupied, as a
6 home or residence.

7 **SECTION 93.** 138.052 (1) (b) of the statutes is amended to read:

8 138.052 (1) (b) "Loan" means a loan secured by a first lien real estate mortgage
9 on, or an equivalent security interest in, a ~~one-~~ one-family to 4-family dwelling
10 which the borrower uses as his or her principal place of residence and which is made,
11 refinanced, renewed, extended or modified on or after November 1, 1981, but does
12 not include a ~~mobile~~ manufactured home transaction as defined in s. 138.056 (1) (e)
13 (bg).

14 **SECTION 94.** 138.056 (1) (b) of the statutes is amended to read:

15 138.056 (1) (b) "Dwelling" includes a cooperative housing unit and a mobile
16 home or manufactured home.

17 **SECTION 95.** 138.056 (1) (bd) of the statutes is created to read:

18 138.056 (1) (bd) "Manufactured home" has the meaning given in s. 101.91 (2).

19 **SECTION 96.** 138.056 (1) (bm) of the statutes is amended to read:

20 138.056 (1) (bm) "Mobile home" means ~~a vehicle designed to be towed as a~~
21 ~~single unit or in sections upon a highway by a motor vehicle and equipped and used,~~
22 ~~or intended to be used, primarily for human habitation, with walls of rigid~~
23 ~~uncollapsible construction. "Mobile home" includes the mobile home structure,~~
24 ~~including the plumbing, heating and electrical systems and all appliances and all~~

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1 other equipment carrying a manufacturer's warranty has the meaning given in s.
2 101.91 (10).

3 **SECTION 97.** 138.056 (1) (c) of the statutes is renumbered 138.056 (1) (bg)
4 amended to read:

5 138.056 **(1)** (bg) "Mobile Manufactured home transaction" means a consumer
6 credit sale, as defined in s. 421.301 (9), of or a consumer loan, as defined in s. 421.301
7 (12), secured by a first lien or equivalent security interest in a mobile home or
8 manufactured home.

9 **SECTION 98.** 138.056 (1) (d) of the statutes is amended to read:

10 138.056 **(1)** (d) "Variable rate loan" means a ~~mobile~~ manufactured home
11 transaction or a loan as defined in s. 138.052 (1) (b), the terms of which permits the
12 interest rate to be increased or decreased.

13 **SECTION 99.** 138.056 (3m) (a) 4. of the statutes is amended to read:

14 138.056 **(3m)** (a) 4. The prepayment is not made in connection with the sale of
15 a dwelling or ~~mobile~~ manufactured home securing the loan.

16 **SECTION 100.** 138.09 (7) (jm) 1. b. of the statutes is amended to read:

17 138.09 **(7)** (jm) 1. b. The loan administration fee is charged for a consumer loan
18 that is secured primarily by an interest in real property ~~or~~, in a mobile home, as
19 defined in s. ~~138.056 (1) (bm)~~ 101.91 (10), or in a manufactured home, as defined in
20 s. 101.91 (2).

21 **SECTION 101.** 214.485 (10) of the statutes is amended to read:

22 214.485 **(10)** For the purpose of mobile home or manufactured home financing.

23 **SECTION 102.** 215.205 (1) of the statutes is amended to read:

24 215.205 **(1)** Loans or obligations, or interests therein, for the purpose of mobile
25 home or manufactured home financing.

BILL**SECTION 103**

1 **SECTION 103.** 218.10 (8m) of the statutes is amended to read:

2 218.10 **(8m)** “Recreational vehicle” means ~~a mobile home, as defined in s.~~
3 ~~340.01 (29), that does not exceed the statutory size under s. 348.07 (2) has the~~
4 ~~meaning given in s. 340.01 (48r).~~

5 **SECTION 104.** 234.622 (7) of the statutes is amended to read:

6 234.622 **(7)** “Qualifying dwelling unit” means a dwelling unit, not including a
7 mobile home as defined in s. ~~66.0435~~ 101.91 (10), located in this state, habitable as
8 a permanent residence and to which property taxes or special assessments are, or
9 may conveniently be, allocated and up to one acre of land appertaining to it held in
10 the same ownership as the dwelling unit. For purposes of ss. 234.621 to 234.626,
11 “qualifying dwelling unit” includes a unit in a condominium or in a cooperative or an
12 unincorporated cooperative association or in a ~~multi-unit~~ multiunit dwelling with
13 4 or fewer units, but in all of these 3 cases only the portion of taxes or special
14 assessments allocable to the unit lived in by the participant may qualify for loans
15 under ss. 234.621 to 234.626.

16 **SECTION 105.** 340.01 (18m) of the statutes is amended to read:

17 340.01 **(18m)** “Fifth-wheel ~~mobile home~~ recreational vehicle” means a mobile
18 ~~home as defined in sub. (29) which~~ recreational vehicle that is towed by a vehicle with
19 a flatbed frame so the trailer hitch of the ~~mobile home~~ recreational vehicle is bolted
20 to the flatbed frame of the towing vehicle.

21 **SECTION 106.** 340.01 (27m) of the statutes is created to read:

22 340.01 **(27m)** “Manufactured home” has the meaning given in s. 101.91 (2).

23 **SECTION 107.** 340.01 (29) of the statutes is amended to read:

24 340.01 **(29)** “Mobile home” means ~~a vehicle designed to be towed as a single unit~~
25 ~~or in sections upon a highway by a motor vehicle and equipped and used or intended~~

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1 to be used, primarily for human habitation, with walls of rigid uncollapsible
2 construction has the meaning given in s. 101.91 (10).

3 **SECTION 108.** 340.01 (29k) of the statutes is created to read:

4 340.01 **(29k)** "Modular home" has the meaning given in s. 101.71 (6).

5 **SECTION 109.** 340.01 (48r) of the statutes is amended to read:

6 340.01 **(48r)** "Recreational vehicle" means a ~~mobile home that does not exceed~~
7 ~~the statutory size under s. 348.07 (2)~~ vehicle that is designed to be towed upon a
8 highway by a motor vehicle, that is equipped and used, or intended to be used,
9 primarily for temporary or recreational human habitation, that has walls of rigid
10 construction, and that does not exceed 45 feet in length.

11 **SECTION 110.** 341.05 (26) (a) of the statutes is renumbered 341.05 (26).

12 **SECTION 111.** 341.05 (26) (b) of the statutes is repealed.

13 **SECTION 112.** 341.12 (1) of the statutes is amended to read:

14 341.12 **(1)** The department upon registering a vehicle pursuant to s. 341.25 or
15 341.30 shall issue and deliver prepaid to the applicant 2 registration plates for an
16 automobile, motor truck, motor bus, school bus, self-propelled recreational vehicle
17 motor home, or dual purpose motor home and one plate for other vehicles. The
18 department upon registering a vehicle pursuant to any other section shall issue one
19 plate unless the department determines that 2 plates will better serve the interests
20 of law enforcement.

21 **SECTION 113.** 343.055 (1) (d) of the statutes is amended to read:

22 343.055 **(1)** (d) *Recreational vehicle operators.* The operator of the commercial
23 motor vehicle is a person operating a motor home, or a vehicle towing a 5th-wheel
24 ~~mobile home~~ recreational vehicle or single-unit recreational vehicle and the vehicle
25 or combination, including both units of a combination towing vehicle and the

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1 5th-wheel ~~mobile home~~ recreational vehicle or recreational vehicle, is both operated
2 and controlled by the person and is transporting only members of the person's family,
3 guests or their personal property. This paragraph does not apply to any
4 transportation for hire or the transportation of any property connected to a
5 commercial activity. In this paragraph, "controlled" means leased or owned.

6 **SECTION 114.** 346.94 (8) of the statutes is amended to read:

7 346.94 **(8)** TRANSPORTING PERSONS IN MOBILE HOMES, RECREATIONAL VEHICLES, OR
8 BOATS. Except as provided in sub. (8m), no person may operate a motor vehicle towing
9 any mobile home, recreational vehicle, or boat on a trailer upon a highway when any
10 person is in such mobile home, recreational vehicle, or boat.

11 **SECTION 115.** 346.94 (8m) of the statutes is amended to read:

12 346.94 **(8m)** TRANSPORTING PERSONS IN FIFTH-WHEEL MOBILE—HOMES
13 RECREATIONAL VEHICLES. (a) No person may operate a motor vehicle towing a
14 fifth-wheel ~~mobile home~~ recreational vehicle upon a highway when any person
15 under the age of 12 years is in the fifth-wheel ~~mobile home~~ recreational vehicle
16 unless one person 16 years of age or older is also in the fifth-wheel ~~mobile home~~
17 recreational vehicle.

18 (b) No person may operate a motor vehicle towing a fifth-wheel ~~mobile home~~
19 recreational vehicle upon a highway with any person in such ~~mobile home~~
20 recreational vehicle unless the fifth-wheel ~~mobile home~~ recreational vehicle is
21 equipped with a two-way communications system in proper working order and
22 capable of providing voice communications between the operator of the towing
23 vehicle and any occupant of the fifth-wheel ~~mobile home~~ recreational vehicle.

24 **SECTION 116.** 347.15 (2) of the statutes is amended to read:

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1 347.15 (2) Except as provided in sub. (1), there shall be at least 2 direction
2 signal lamps showing to the front on motor vehicles and at least 2 showing to the rear
3 on motor vehicles, mobile homes, recreational vehicles, trailers and semitrailers, so
4 as to indicate intention to turn right or left. Lamps showing to the front shall be
5 located on the same level and as widely spaced laterally as practicable and lamps
6 showing to the rear shall be located on the same level and as widely spaced laterally
7 as practicable. Such lamps shall project a flashing white or amber light visible to the
8 front and a flashing red or amber light visible to the rear. Direction signal lamps
9 when in use shall be plainly visible and understandable from all distances to 300 feet
10 during normal sunlight. No direction signal lamp shall have any type of decorative
11 covering that restricts the amount of light emitted when the direction signal lamp
12 is in use. When actuated, such lamps shall indicate the intended direction of turning
13 by flashing the lights showing to the front and rear on the side toward which the turn
14 is made. This subsection does not apply to any type of decorative covering originally
15 equipped on the vehicle at the time of manufacture and sale.

16 **SECTION 117.** 347.35 (4) of the statutes is amended to read:

17 347.35 (4) MOBILE HOMES AND RECREATIONAL VEHICLES. No person shall
18 manufacture and no person shall sell a mobile home or recreational vehicle in this
19 state unless such mobile home or recreational vehicle is equipped with brakes
20 adequate to control the movement of and to stop and hold it. No person shall operate
21 on a highway any mobile home registered as a 1940 or later year model or
22 recreational vehicle unless such mobile home or recreational vehicle is equipped with
23 brakes adequate to control the movement of and to stop and hold it.

24 **SECTION 118.** 347.45 (1) of the statutes is amended to read:

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1 347.45 (1) All automobiles, motor trucks, motor buses, truck tractors, trailers,
2 semitrailers, recreational vehicles, and mobile homes when operated upon a
3 highway shall be completely equipped with tires inflated with compressed air and
4 all other motor vehicles when operated on a highway shall be equipped with tires of
5 rubber or of some material or construction of equal resiliency. No person may operate
6 on a highway any motor vehicle, trailer, semitrailer, recreational vehicle, or mobile
7 home having any metal tire in contact with the roadway, except that tire chains of
8 reasonable proportions may be used when required for safety because of snow, ice or
9 other conditions tending to cause a vehicle to skid, and except as provided in sub. (2)
10 (c).

11 **SECTION 119.** 347.47 (2) of the statutes is amended to read:

12 347.47 (2) No person shall operate a motor vehicle drawing a trailer,
13 semitrailer, recreational vehicle, or mobile home upon a highway unless the hitch
14 and coupling attaching the trailer, semitrailer, recreational vehicle, or mobile home
15 to the vehicle by which it is drawn is of such construction as to cause such trailer,
16 semitrailer, recreational vehicle, or mobile home to follow in direct line with the
17 propelling vehicle without dangerous side swing or wobble. The hitch and coupling,
18 the surface to which they are attached, and the connections, shall be of sufficient
19 strength to prevent failure under all conditions of operation. The hitch is that part
20 of the connecting mechanism, including the coupling platform and its attaching
21 members or weldments, which is attached to the towing vehicle. The coupling is that
22 part of the connecting mechanism, including the coupling and its attaching members
23 or weldments, which is attached to the trailer, recreational vehicle, or mobile home
24 and by which connection is made to the hitch. If a device is used between the trailer

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proper and the coupling such as a pole, such device shall also meet the requirements of this section.

SECTION 120. 347.47 (4) of the statutes is amended to read:

347.47 (4) Trailer, semitrailer, recreational vehicle, and mobile home couplings and the safety chains, leveling bars or cables shall be of such minimum strength, design and type as established by published rule of the department.

SECTION 121. 348.06 (1) of the statutes is amended to read:

348.06 (1) Except as provided in subs. (2) and (2m), no person, without a permit therefor, may operate on a highway any motor vehicle, mobile home, recreational vehicle, trailer, or semitrailer having an overall height in excess of 13 1/2 feet.

SECTION 122. 348.07 (2) (c) of the statutes is amended to read:

348.07 (2) (c) Forty five feet for ~~mobile homes~~ recreational vehicles, motor homes, and motor buses.

SECTION 123. 348.07 (3) (a) of the statutes is amended to read:

348.07 (3) (a) The overall length of a mobile home or recreational vehicle shall be measured from the rear thereof to the rear of the vehicle to which it is attached.

SECTION 124. 348.10 (5) (intro.) of the statutes is amended to read:

348.10 (5) (intro.) The load imposed upon trailers ~~or~~, semitrailers, recreational vehicles, or mobile homes shall be distributed in a manner that will prevent side sway under all conditions of operation:

SECTION 125. 348.10 (5) (a) of the statutes is amended to read:

348.10 (5) (a) All items of load carried by any trailer, semitrailer, recreational vehicle, or mobile home, except bulk material such as sand, gravel, dirt not in containers, shall be secured to, on or in the trailer, semitrailer, recreational vehicle,

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1 or mobile home in such manner as to prevent shifting of the load while the trailer,
2 semitrailer, recreational vehicle, or mobile home is being drawn by a towing vehicle.

3 **SECTION 126.** 348.10 (5) (c) of the statutes is amended to read:

4 348.10 (5) (c) The load carried by any trailer, semitrailer, recreational vehicle,
5 or mobile home shall be so positioned that a weight of not less than 35 pounds is
6 imposed at the center of the point of attachment to the towing vehicle when parked
7 on a level surface.

8 **SECTION 127.** 348.26 (4) of the statutes is amended to read:

9 348.26 (4) MOBILE HOME, MANUFACTURED HOME, AND MANUFACTURED BUILDING
10 MODULAR HOME PERMITS. Single trip permits for the movement of oversize mobile
11 homes, manufactured homes ~~as defined in s. 101.91 (2) (am), or manufactured~~
12 ~~buildings as defined in s. 101.71 (6)~~ modular homes may be issued only by the
13 department, regardless of the highways to be used. Every such permit shall
14 designate the route to be used by the permittee. No permit may be issued under this
15 subsection for operation of a vehicle combination exceeding 110 feet in overall length
16 or for movement of a mobile home, manufactured home, or ~~manufactured building~~
17 modular home exceeding 80 feet in length.

18 **SECTION 128.** 348.27 (7) of the statutes is amended to read:

19 348.27 (7) MOBILE HOME, MANUFACTURED HOME, AND MODULAR HOME PERMITS. The
20 department may issue annual or consecutive month statewide permits to licensed
21 mobile home, manufactured home, or modular home transport companies and to
22 licensed mobile home, manufactured home, or modular home manufacturers and
23 dealers authorizing them to transport oversize mobile homes, manufactured homes,
24 or modular homes over any of the highways of the state in the ordinary course of their
25 business.

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1 **SECTION 129.** 348.27 (7m) of the statutes is amended to read:

2 348.27 **(7m)** The department may issue an annual or consecutive month permit
3 for the movement of a 3-vehicle combination consisting of a towing vehicle and, in
4 order by weight, with the lighter of the towed vehicles as the 3rd vehicle in the
5 3-vehicle combination unless not structurally possible, a ~~mobile home~~ recreational
6 vehicle or camping trailer, and a trailer for a personal recreational vehicle, if the
7 overall length of the combination of vehicles does not exceed 60 feet or, if the 2nd
8 vehicle in the 3-vehicle combination is equipped with brakes adequate to control the
9 movement of and to stop and hold it, does not exceed 65 feet, and the towed vehicles
10 are for the use of the operator of the towing vehicle. A permit under this subsection
11 may be issued only by the department, regardless of the highways to be used. The
12 department may designate the routes that may be used by the permittee. The fee
13 for an annual permit under this subsection is \$40. The fee for a consecutive month
14 permit under this subsection shall be determined in the manner provided in s. 348.25
15 (8) (bm), except that the \$40 fee for an annual permit under this subsection shall be
16 used in the computation. No 3-vehicle combination may operate under this
17 paragraph if highway or weather conditions include heavy snow, freezing rain, icy
18 roads, high winds, limited visibility, or upon a highway that is closed or partially
19 closed by the department due to highway conditions.

20 **SECTION 130.** 349.03 (2) of the statutes is amended to read:

21 349.03 **(2)** No local authority may enact or enforce any traffic regulation
22 providing for suspension or revocation of motor vehicle operator's licenses or
23 requiring local registration of vehicles, except as authorized by s. 341.35, or in any
24 manner excluding or prohibiting any motor vehicle, mobile home, vehicle
25 transporting a manufactured home or modular home, recreational vehicle, trailer,

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1 or semitrailer whose owner has complied with chs. 341 to 348 from the free use of all
2 highways, except as authorized by sub. (3) and ss. 66.0429 (1) and (3), 349.13, 349.17,
3 349.22 and 349.23.

4 **SECTION 131.** 422.201 (12m) of the statutes is amended to read:

5 422.201 **(12m)** This section does not apply to consumer credit sales of or
6 consumer loans secured by a first lien on or equivalent security interest in mobile
7 homes or manufactured homes, as defined in s. 138.056 (1) ~~(bm)~~ 101.91, if the sales
8 or loans are made on or after November 1, 1981.

9 **SECTION 132.** 422.202 (2) (intro.) of the statutes is amended to read:

10 422.202 **(2)** (intro.) With respect to a consumer credit transaction which
11 involves a ~~mobile~~ manufactured home transaction as defined in s. 138.056 (1) ~~(e)~~ (bg)
12 or the extension of credit secured by an interest in real property, the parties may
13 agree to the payment by the customer of the following charges in addition to the
14 finance charge, if they will be paid to persons not related to the merchant, are
15 reasonable in amount, bona fide and not for the purpose of circumvention or evasion
16 of this subchapter:

17 **SECTION 133.** 422.209 (1m) (a) 2. of the statutes is amended to read:

18 422.209 **(1m)** (a) 2. The loan administration fee is for a consumer loan that is
19 secured primarily by an interest in real property or in a mobile home, as defined in
20 s. 138.056 (1) ~~(bm)~~ 101.91 (10), or in a manufactured home, as defined in s. 101.91
21 (2).

22 **SECTION 134.** 422.209 (6m) of the statutes is amended to read:

23 422.209 **(6m)** For purpose of this section, the finance charge in a ~~mobile~~
24 manufactured home transaction as defined in s. 138.056 (1) ~~(e)~~ (bg) does not include
25 fees, discounts, or other sums actually imposed by the government national

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1 mortgage association, the federal national mortgage association, the federal home
2 loan mortgage corporation or other governmentally sponsored secondary mortgage
3 market purchaser of the loan or any private secondary mortgage market purchaser
4 of the loan who is not a person related to the original lender.

5 **SECTION 135.** 422.402 (5) (intro.) of the statutes is amended to read:

6 422.402 (5) (intro.) This section does not apply to a ~~mobile~~ manufactured home
7 transaction as defined in s. 138.056 (1) ~~(e)~~ (bg) made on or after November 1, 1981,
8 and before November 1, 1984, if:

9 **SECTION 136.** 422.402 (5) (b) of the statutes is amended to read:

10 422.402 (5) (b) The unequal or irregular payment is the final scheduled
11 payment of the transaction, and the merchant agrees to refinance the final scheduled
12 payment at a rate of interest not in excess of the rate disclosed pursuant to subch.
13 III of ch. 422 by more than one percent multiplied by the number of 6-month periods
14 in the term of the immediately prior ~~mobile~~ manufactured home transaction.

15 **SECTION 137.** 422.413 (2g) (intro.) of the statutes is amended to read:

16 422.413 (2g) (intro.) In any consumer credit transaction in which the collateral
17 is a motor vehicle as defined in s. 340.01 (35), a trailer as defined in s. 340.01 (71),
18 a snowmobile as defined in s. 340.01 (58a), a boat as defined in s. 30.50 (2), an aircraft
19 as defined in s. 114.002 (3), or a mobile home or manufactured home as defined in s.
20 ~~138.056 (1) (bm)~~ 101.91, a writing evidencing the transaction may provide for the
21 creditor's recovery of all of the following expenses, if the expenses are reasonable and
22 bona fide:

23 **SECTION 138.** 424.301 (1) (b) 1. of the statutes is amended to read:

24 424.301 (1) (b) 1. The actual cash value or stated value of any motor vehicle,
25 manufactured home, or mobile home in which the creditor holds a security interest.

BILL**SECTION 139**

1 **SECTION 139.** 707.02 (4) of the statutes is amended to read:

2 707.02 (4) “Campground” means real property that is available for use by
3 campground members under a campground contract and is intended for camping or
4 outdoor recreation, including the use of campsites and campground amenities by
5 campground members, but does not include a manufactured and mobile home park
6 community as defined in s. 66.0435 (1) (e) (cg).

7 **SECTION 140.** 710.15 (title) of the statutes is amended to read:

8 **710.15 (title) Mobile Manufactured and mobile home park community**
9 **regulations.**

10 **SECTION 141.** 710.15 (1) (a) of the statutes is renumbered 710.15 (1) (ag) and
11 amended to read:

12 710.15 (1) (ag) “Lease” means a written agreement between an operator and
13 a resident ~~or mobile home occupant~~ establishing the terms upon which the mobile
14 home ~~or manufactured home~~ may be located in the park community or the mobile
15 home ~~occupant resident~~ may occupy a mobile home or manufactured home in the
16 park community.

17 **SECTION 142.** 710.15 (1) (am) of the statutes is created to read:

18 710.15 (1) (am) “Manufactured home” has the meaning given in s. 101.91 (2).

19 **SECTION 143.** 710.15 (1) (b) of the statutes is amended to read:

20 710.15 (1) (b) “Mobile home” has the meaning given under s. 66.0435 (1) (d)
21 101.91 (10), but does not include ~~any unit used primarily for camping, touring or~~
22 ~~recreational purposes~~ a recreational vehicle, as defined in s. 340.01 (48r).

23 **SECTION 144.** 710.15 (1) (c) of the statutes is amended to read:

24 710.15 (1) (c) “~~Mobile home occupant~~ Occupant” means a person who rents a
25 mobile home or manufactured home in a park community from an operator or who

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1 occupies a mobile home or manufactured home located on a plot of ground that is
2 rented in a community from an operator.

3 **SECTION 145.** 710.15 (1) (d) of the statutes is amended to read:

4 710.15 (1) (d) "Operator" means a person engaged in the business of renting
5 plots of ground or mobile homes or manufactured homes in a park community to
6 mobile home or manufactured home owners or ~~mobile home~~ occupants.

7 **SECTION 146.** 710.15 (1) (e) of the statutes is renumbered 710.15 (1) (ad) and
8 amended to read:

9 710.15 (1) (ad) "Park Community" means a tract of land containing 2 3 or more
10 plots of ground upon which mobile homes or manufactured homes are located in
11 exchange for the payment of rent or any other fee pursuant to a lease.

12 **SECTION 147.** 710.15 (1) (f) of the statutes is amended to read:

13 710.15 (1) (f) "Resident" means a person who rents a mobile home or
14 manufactured home site in a park community from an operator and who occupies the
15 mobile home or site as his or her residence.

16 **SECTION 148.** 710.15 (1m) of the statutes is amended to read:

17 710.15 (1m) REQUIREMENT AND TERM OF LEASE. Every agreement for the rental
18 of a mobile home site ~~or mobile home~~ or manufactured home site shall be by lease.
19 Every lease shall be for a term of at least one year unless the resident or ~~mobile home~~
20 occupant requests a shorter term and the operator agrees to the shorter term.

21 **SECTION 149.** 710.15 (2) of the statutes is amended to read:

22 710.15 (2) RULES INCLUDED IN LEASE. All park community rules that
23 substantially affect the rights or duties of residents or ~~mobile home~~ occupants or of
24 operators, including park community rules under sub. (2m) (b), shall be made a part
25 of every lease between them.

BILL**SECTION 150**

1 **SECTION 150.** 710.15 (2m) (a) of the statutes is amended to read:

2 710.15 **(2m)** (a) Every lease shall state whether the park community contains
3 an emergency shelter.

4 **SECTION 151.** 710.15 (2m) (b) of the statutes is amended to read:

5 710.15 **(2m)** (b) If a park community contains an emergency shelter under par.
6 (a), the park community rules shall state the location of the emergency shelter and
7 procedures for its use.

8 **SECTION 152.** 710.15 (3) of the statutes is amended to read:

9 710.15 **(3)** PROHIBITED CONSIDERATION OF AGE OF MOBILE HOME OR MANUFACTURED
10 HOME. (a) An operator may not deny a resident the opportunity to enter into or renew,
11 and may not include, exclude or alter any terms of, a lease to continue to locate a
12 mobile home or manufactured home in the park community solely or in any part on
13 the basis of the age of the mobile home or manufactured home.

14 (b) An operator may not require the removal of a mobile home or manufactured
15 home from a park community solely or in any part on the basis of the age of the mobile
16 home or manufactured home, regardless of whether the ownership or occupancy of
17 the mobile home or manufactured home has changed or will change.

18 **SECTION 153.** 710.15 (4) of the statutes is amended to read:

19 710.15 **(4)** PROHIBITED CONSIDERATION OF CHANGE IN OWNERSHIP OR OCCUPANCY OF
20 MOBILE HOME OR MANUFACTURED HOME. An operator may not require the removal of
21 a mobile home or manufactured home from a park community solely or in any part
22 because the ownership or occupancy of the mobile home or manufactured home has
23 changed or will change. An operator may refuse to enter into an initial lease with
24 a prospective resident or mobile home occupant for any other lawful reason.

25 **SECTION 154.** 710.15 (4m) of the statutes is amended to read:

BILL

1 710.15 (4m) NO INTEREST IN REAL ESTATE; SCREENING PERMITTED. Neither sub. (3)
2 (b) nor sub. (4) creates or extends any interest in real estate or prohibits the lawful
3 screening of prospective residents and ~~mobile home~~ occupants by an operator.

4 **SECTION 155.** 710.15 (5m) (intro.) of the statutes is amended to read:

5 710.15 (5m) TERMINATION OF TENANCY OR NONRENEWAL OF LEASE. (intro.)
6 Notwithstanding ss. 704.17 and 704.19, the tenancy of a resident or ~~mobile home~~
7 occupant in a park community may not be terminated, nor may the renewal of the
8 lease be denied by the park community operator, except upon any of the following
9 grounds:

10 **SECTION 156.** 710.15 (5m) (a) of the statutes is amended to read:

11 710.15 (5m) (a) Failure to pay rent due, or failure to pay taxes or any other
12 charges due for which the park community owner or operator may be liable.

13 **SECTION 157.** 710.15 (5m) (e) of the statutes is amended to read:

14 710.15 (5m) (e) Violation of park community rules that endangers the health
15 or safety of others or disrupts the right to the peaceful enjoyment and use of the
16 premises by others, after written notice to cease the violation has been delivered to
17 the resident or ~~mobile home~~ occupant.

18 **SECTION 158.** 710.15 (5m) (em) of the statutes is amended to read:

19 710.15 (5m) (em) Violation of federal, state or local laws, rules or ordinances
20 relating to mobile homes or manufactured homes after written notice to cease the
21 violation has been delivered to the resident or ~~mobile home~~ occupant.

22 **SECTION 159.** 710.15 (5m) (f) of the statutes is amended to read:

23 710.15 (5m) (f) The park community owner or operator seeks to retire the park
24 community permanently from the rental housing market.

25 **SECTION 160.** 710.15 (5m) (g) of the statutes is amended to read:

BILL**SECTION 160**

1 710.15 (5m) (g) The park community owner or operator is required to
2 discontinue use of the park community for the purpose rented as a result of action
3 taken against the park community owner or operator by local or state building or
4 health authorities and it is necessary for the premises to be vacated to satisfy the
5 relief sought by the action.

6 **SECTION 161.** 710.15 (5m) (h) of the statutes is amended to read:

7 710.15 (5m) (h) The physical condition of the mobile home or manufactured
8 home presents a threat to the health or safety of its occupants or others in the park
9 community or, by its physical appearance, disrupts the right to the enjoyment and
10 use of the park community by others.

11 **SECTION 162.** 861.21 (1) (b) of the statutes is amended to read:

12 861.21 (1) (b) “Home” means any dwelling in which the decedent had an
13 interest and that at the time of the decedent’s death the surviving spouse occupies
14 or intends to occupy. If there are several such dwellings, any one may be designated
15 by the surviving spouse. “Home” includes a house, a mobile home, a manufactured
16 home, a duplex or multiple apartment building one unit of which is occupied by the
17 surviving spouse and a building used in part for a dwelling and in part for commercial
18 or business purposes. “Home” includes all of the surrounding land, unless the court
19 sets off part of the land as severable from the remaining land under sub. (5).

20 **SECTION 163.** 941.20 (1) (d) of the statutes is amended to read:

21 941.20 (1) (d) While on the lands of another discharges a firearm within 100
22 yards of any building devoted to human occupancy situated on and attached to the
23 lands of another without the express permission of the owner or occupant of the
24 building. “Building” as used in this paragraph ~~includes any house trailer or mobile~~
25 ~~home but~~ does not include any tent, bus, truck, vehicle or similar portable unit.

BILL

1 **SECTION 164.** 990.01 (14) of the statutes is amended to read:

990.01 (14) HOMESTEAD EXEMPTION. "Exempt homestead" means the dwelling, including a building, condominium, mobile home, manufactured home, house trailer or cooperative or an unincorporated cooperative association, and so much of the land surrounding it as is reasonably necessary for its use as a home, but not less than 0.25 acre, if available, and not exceeding 40 acres, within the limitation as to value under s. 815.20, except as to liens attaching or rights of devisees or heirs of persons dying before the effective date of any increase of that limitation as to value.

9 SECTION 165. Effective date.

(1) This act takes effect on the first day of the 18th month beginning after publication.

12 (END)

Duerst, Christina

From: Groves, Monica
Sent: Tuesday, January 02, 2007 2:14 PM
To: LRB.Legal
Subject: Draft Review: LRB 07-1201/1 Topic: Manufactured housing terminology changes

Please Jacket LRB 07-1201/1 for the SENATE.